

REMARKS

Claims 1-9, 11 and 12 were pending in the application.

Claim 6 is allowed.

Claims 3 and 7 are objected to.

Claims 1, 2, 4, 5, 8, 9, 11 and 12 are rejected.

Claim 3 is cancelled.

Claims 1 and 7 are amended.

Claims 1-2, 4-9, 11 and 12 are now pending.

Amended Claims 1 and 7

Applicants have amended their claims in order to more particularly point out and distinctly claim their invention. Thus, the limits of originally filed claim 3 has been incorporated into claim 1. Since claim 3 fails to further limit amended claim 1, it has been presently cancelled.

Claim 7 has been made independent and now includes all the limitations of original claim 1.

No new matter has been added.

35 USC 102(b)

Claims 1, 2, 4, 5, 9, 11 and 12 are rejected under 35 USC 102(b) as being anticipated by Japanese Patent 52-085,584.

Applicants have amended claim 1 to include the limitation of claim 3. As JP 52-085,584 does not disclose compounds wherein R_2 is n-butyl and R_1 , X and Y are as claimed in claim 1, the compounds are novel. Claims 2, 4, 5, 9, 11 and 12 are dependent upon claim 1 and thus incorporate all its limitations so they too must be novel.

35 USC 103(a)

Claims 1, 2, 4, 5, 8, 9, 11 and 12 are rejected under USC 103(a) as being unpatentable over JP 52-085, 584.

The Examiner asserts that the dyes of the reference differ from those claimed in that they are homologs and that the group that corresponds to R_2 of the claimed dyes is methyl instead of ethyl.

The applicants have amended claim 1 to require that R₂ is n-butyl. As n-butyl is not a homolog of methyl or ethyl, the claim is not obvious in light of the Japanese reference. Furthermore as claims 2, 4, 5, 8, 9, 11 and 12 are dependent on claim 1, they are also unobvious.

Reconsideration and withdrawal of the rejection of claims 1-2, 4-9, 11 and 12 is respectfully solicited in light of the remarks and amendments *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 1-2, 4-9, 11 and 12 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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